



Entered on Docket
December 22, 2009

A handwritten signature in black ink, appearing to read "Mike K. Nakagawa".

Hon. Mike K. Nakagawa
United States Bankruptcy Judge

Electronically Filed on _____

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Wells Fargo Bank, N.A.
09-75798

UNITED STATES BANKRUPTCY COURT

DISTRICT OF NEVADA

In Re:

Demetria J. Temple

Debtor.

BK-09-23555-mkn

Date: November 10, 2009

Time: 9:30 a.m.

Chapter 13

ORDER VACATING AUTOMATIC STAY

1 IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Automatic Stay in the
2 above-entitled bankruptcy proceedings is immediately vacated and extinguished for all purposes as to
3 Secured Creditor Wells Fargo Bank, N.A., its assignees and/or successors in interest, of the subject
4 property, generally described as 3639 Acacia Grove Way, San Diego, CA 92113, and legally described
5 as follows:
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7 Lot 35 of SOUTHCREST PARK ESTATES II, in the City of San Diego, County of San Diego,
8 State of California, according to Map thereof No. 14235, filed in the office of the County
9 Recorder of San Diego County, July 31, 2001, and corrected by Certificate of Correction
reocrded November 30, 2001 as Instrument No. 2001-0875984 of Official Records.

10 IT IS FURTHER ORDERED, ADJUDGED and DECREED that the Secured Creditor shall give
11 Debtors at least five business days' notice of the time, place and date of sale.

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1 IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Secured Creditor hereby
2 withdraws its secured Proof of Claim filed in this matter. The Secured Creditor shall notify the Trustee of
3 the completion of the foreclosure sale. If applicable, Secured Creditor may thereafter amend its secured
4 Proof of Claim to an unsecured Proof of Claim no later than forty-five (45) days after the foreclosure sale.

5 DATED this ____ day of _____, 2009.

6 Submitted by:

7 **WILDE & ASSOCIATES**

8 By /s/ GREGORY L. WILDE

9 **GREGORY L. WILDE, ESQ.**

10 Attorney for Secured Creditor

11 208 South Jones Boulevard

12 Las Vegas, Nevada 89107

13 APPROVED / DISAPPROVED

14 _____
Demeetria Temple

15 ProSe Debtor(s)

16 APPROVED / DISAPPROVED

17 _____
Rick A. Yarnall

18 701 Bridger Avenue #820

19 Las Vegas, NV 89101

20 Chapter 13 Trustee

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1 ALTERNATIVE METHOD RE: LOCAL RULE 9021:

2 In accordance with Local Rule 9021, the undersigned counsel certifies as follows (check one):

3 ☐ The court waived the requirements of LR 9021.

4 ☒ No parties appeared or filed written objections, and there is no trustee appointed in the case.

5 ☒ I have delivered a copy of this proposed order to all counsel who appeared at the hearing, any
6 unrepresented parties who appeared at the hearing, and any trustee appointed in this case,
and each has approved or disapproved the order, or failed to respond, as indicated below
(list each party and whether the party has approved, disapproved, or failed to respond to the
document):

7 (List Parties)

8 Debtor's counsel:

9 ☐ approved the form of this order ☐ disapproved the form of this order

10 ☐ waived the right to review the order and/or ☒ failed to respond to the document

11 ☐ appeared at the hearing, waived the right to review the order

12 ☐ matter unopposed, did not appear at the hearing, waived the right to review the order

13 Trustee:

14 ☐ approved the form of this order ☐ disapproved the form of this order

15 ☐ waived the right to review the order and/or ☒ failed to respond to the document

16 Other Party: _____

17 ☐ approved the form of this order ☐ disapproved the form of this order

18 ☐ waived the right to review the order and/or ☐ failed to respond to the document

19 Breach Order:

20 ☐ This is an Order Vacating the Stay after the Failure to cure a Declaration of Breach. Copies of
21 this proposed order were transmitted to Debtor's counsel and appointed trustee to which
22 they have not replied

24 Submitted by:

25 /s/ Gregory L. Wilde, Esq.

Gregory L. Wilde, Esq.

26 Attorney for Secured Creditor